

REMARKS

Claims 1-26 are currently pending, wherein claims 1, 3, 4, 14, and 16-19 have been amended and new claims 20-26 have been added. Applicants respectfully request favorable reconsideration in view of the remarks presented herein below.

In paragraph 1 of the Office Action ("Action"), the Examiner rejects claims 1, 2, 18, and 19 under 35 U.S.C. §102(a) as allegedly being anticipated by the Admitted Prior Art ("APA") discussed on pages 1-2 of Applicants' specification. Applicants respectfully traverse this rejection.

In order to support a rejection under 35 U.S.C. §102, the cited art must teach each and every claimed element. In the present case, claims 1, 2, 18, and 19 are not anticipated by the APA because the APA fails to disclose each and every claimed element as discussed below.

Independent claim 1 defines an electronic program guide providing device. The device includes, *inter alia*, an editing mean for editing electronic program information, an electronic program information storage means for storing the electronic program information edited by the editing means, and a table generation means for generating a plurality of electronic program guide information tables. In addition, when updating the electronic program information stored in the electronic program information storage means, the editing means generates update information on the updating of the electronic program information, and the table generation means determines which of said plurality of electronic program guide information tables needs to be updated.

Accordingly, unlike the prior art device, the present invention only updates (i.e., regenerates) those electronic program guide information tables that need to be updated.

In contrast, the prior art devices, as such as the APA discussed on pages 1-2 of the specification, regenerates all of the electronic program guide information tables at predetermined intervals regardless of whether or not the electronic program information associated with a table updated. As a result, the prior art devices needlessly expend processing resources to regenerate tables which have not changed. Accordingly, independent claim 1 is not anticipated by the APA because the fails to disclose determining which of the plurality of electronic program guide information tables needs to be generated based on the update information and generating only those tables that need updating as claimed.

Claims 2, 18 and 19 variously depend from independent claim 1. Therefore, claims 2, 18, and 19 are patentable over the APA for at least those reasons presented above with respect to claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1, 2, 18, and 19 under 35 U.S.C. §102(a).

In paragraph 2 of the Action, the Examiner rejects claims 3-17 under 35 U.S.C. 103(a) as allegedly being unpatentable over the APA in view of U.S. Patent No. 5,666,654 to Thomas et al. ("Thomas"). Applicants respectfully traverse this rejection.

In order to support a rejection under 35 U.S.C. §103, the Examiner must establish a *prima facie* case of obviousness. To establish a *prima facie* case of

obviousness three criteria must be met. First, there must be some motivation to combine/modify the cited references. Second, there must be a reasonable expectation of success. Finally, the combination must teach each and every claimed element. In the present case, claims 3-17 are not rendered unpatentable by the combination of the APA and Thomas because the Examiner fails to establish a *prima facie* case of obviousness as discussed below.

Claims 3-17 variously depend from independent claim 1. Therefore, claims 3-17 are patentable over the APA for at least those reasons presented above with respect to claim 1.

Thomas discloses a data management and distribution system for an electronic program guide for television programs. However, the data management system of Thomas fails to overcome the deficiencies of the APA.

Since the APA and Thomas both fail to disclose or suggest an electronic program guide providing device that includes a table generation means that determines which of the plurality of electronic program guide information tables needs to be generated based on update information generated by an editing means, and generates only those electronic program guide information tables which need to be updated as claimed, the combination of these two references cannot possibly disclose or suggest said features. Therefore, even if one skilled in the art were motivated to combine the APA and Thomas, which Applicants do not concede, the combination would still fail to render claims 3-17 unpatentable because the combination fails to disclose each and

every claimed element. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 3-17 under 35 U.S.C. §103(a).

New claims 20-26 define a method of generating electronic program guide information tables. The method includes, *inter alia*, receiving electronic program guide update information, determining whether an electronic program guide information table needs to be updated based on the electronic program guide update information, and generating only those electronic program guide information tables determined to need updating. Accordingly, new claims 20-26 are patentable over the prior art of record because the prior art fails to disclose or suggest a method of generating electronic program guide information tables that includes determining whether an electronic program guide information table needs to be updated based on the electronic program guide update information, and generating only those electronic program guide information tables determined to need updating.

The application is in condition for allowance. Notice of same is earnestly solicited. Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Penny Caudle (Reg. No. 46,607) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Application No. 09/802,961
Amendment dated May 24, 2006
Reply to Office Action of February 27, 2006

Docket No.: 1163-0329P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 

Michael K. Mutter
Registration No.: 29,680
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant